

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development modification
Application number and project name	SSD-9835-Mod-2 Sydney Football Stadium Stage 2 (Design, construction and operation) – Modification 2 – Sydney Members Facilities
Applicant	Infrastructure NSW
Consent Authority	Minister for Planning and Public Spaces

Decision

The Director under delegation from the Minister for Planning and Public Spaces has, under 4.55(2) of the *Environmental Planning and Assessment Act 1979* (**the Act**) [modified the consent subject to the recommended conditions and additional conditions.

A copy of the instrument of modification and conditions is available at <https://www.planningportal.nsw.gov.au/major-projects/project/30526>.

A copy of the Department of Planning & Environment's assessment report is available at <https://www.planningportal.nsw.gov.au/major-projects/project/30526>.

Date of decision

14 December 2020

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the reasons given by the consent authority for the grant of the original consent;
- the objects of the Act;
- all information submitted with the modification application during the assessment and information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report;
- the submissions made concerning the modification; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The decision maker was satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted was modified.

The key reasons for granting the modification are as follows:

- *[Benefits]* - the modification would provide a range of benefits for the region and the State as a whole, including direct investment of \$40 million which would support a further 120 construction jobs and five operational jobs;
- *[Consistent with NSW Government Policy]* - the modification is permissible with consent, and is consistent with NSW Government policies including the *NSW Stadia Strategy 2012* and *2015 Preliminary Sydney Cricket Ground Master Plan*, the vision outlined in the Greater Sydney Commission's *Eastern City District Plan*, the *State Infrastructure Strategy 2018-2018 – Building the Momentum*, the *NSW Future Transport Strategy 2056* and *Transport for NSW's Sydney's Cycling Future 2013*;
- *[Impacts can be managed]* - the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards; and
- *[Community views considered]* - the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the recommended conditions of consent.

- *[Public interest]* – weighing all relevant considerations, the modification is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the modification from 7 August 2020 until 20 August 2020 (14 days) and received 15 submissions, including five objections, primarily from residents living within 10 kilometres of the project site.

The Department visited the site on several occasions and attended the project's Community Consultative Committee meetings.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include bulk and scale, urban design, visual amenity, loss of trees, noise, traffic, heritage, construction and operation, loss of public land and utilisation of government resources. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<i>Bulk and scale</i>	<i>Assessment</i> • The proposed members facilities would be within a low-level pavilion building located behind the southern entry abutment wall and would integrate with the under-croft space beneath the main stadium entry stairs. • The Design Integrity Panel reviewed the design and concluded it retained design excellence and would integrate with the stadium as approved. • The members facilities are located entirely within the approved site boundary and building envelope. • The Department considers the proposed members facilities would be a low level building that integrate with the architectural features of the approved stadium and would not contribute to excess bulk and scale of the overall development. <i>Conditions include:</i> • revised architectural drawings. • revision of management plans to include the area of the members facilities.
<i>Urban Design</i>	<i>Assessment</i> • The modification application indicates that the architectural detailing would reflect the façade of the approved stadium with louvres creating horizontal bands and utilising bronze aluminium cladding and precast sandstone-coloured concrete walls. Brick buttresses would provide for a 'book-ending' of the building and soft landscaping comprising hanging gardens would be provided on upper levels of brick buttresses to create further interest in the façade. • Additional plantings are proposed as part of the modification. • The DIP reviewed the proposed design plans of the members facilities in relation to the requirements of the stadium Design Excellence Strategy, the provisions of the Sydney LEP 2012, the objectives of Better Places and the project-specific urban design guidelines. The DIP concluded the design of the members facilities would remain consistent with the approved overall design for the stadium. • Government Architect NSW (GA NSW) reviewed the proposed development, particularly the provided advice from the DIP. GA NSW indicated support of the advice provided by the DIP on the proposed modification. The comments of the DIP and GA NSW are supported by the Department and it is concluded that the proposed modifications would continue to exhibit design excellence. <i>Conditions include:</i> • revised architectural drawings. • revision of revised landscape plans presenting 120 trees. • revision of management plans to include the area of the members facilities.
<i>Visual amenity</i>	<i>Assessment</i> • The modification proposes the construction and operation of members facilities associated with the stadium, reinstating similar facilities that operated in conjunction with the former stadium at the site. • The proposed members facilities would be entirely within the approved building envelope and footprint as amended by the fifth modification to SSD-9249, the Concept Proposal and Stage 1 application. • The members facilities would be provided within a low-level pavilion building that provides for outdoor spaces as well as swimming pools and cabanas. The facilities would be located behind the southern entry abutment wall and would partly integrate with the under-croft space beneath the SFS entry stairs.

	- The Department considers that the facilities are appropriately located and suitable materials and finishes have been selected to minimise impacts upon visual amenity. <i>Conditions include:</i> - revised architectural drawings.
Loss of trees	<i>Assessment</i> - The modification would not remove any additional trees and would result in an increase of three trees to be planted. Two significant trees, including a mature fig at the north-west corner of the site, would continue to be retained and protected. - The Department considered the relocation of trees and the inclusion of three additional trees as part of its assessment and was supportive of the increase in trees at the site. <i>Conditions include:</i> - developing a revised landscape plan depicting the location of 120 trees of native and endemic species.
Noise	<i>Assessment</i> - The modification application included a construction and operational noise assessment considering the additional construction requirements of the proposed facilities and the extended operational provisions compared to the main stadium. - Works associated with the proposed modification would utilise equipment proposed and approved as part of the site Construction Noise and Vibration Management Plan (CNVNMP) with the addition of mobile concrete pumps and a mobile crane. With the additional equipment operating concurrently with other modelled noise equipment as approved, works have the potential to increase predicted noise levels at some receivers by approximately 1dB. This level of noise is considered imperceptible to the average person. As such, the increase in disturbance to the community is considered low and no further addition noise mitigation measures beyond those already approved as part of the CNVMP would be considered necessary. - Operational noise sources associated with the proposed members facilities include patron noise and music from pool and outdoor café seating area and operational traffic noise. The modification application indicates other areas for functions including terraces and the rooftop, but specific noise from these areas has not been considered. - Additional traffic movements resultant of the members facilities were also considered and due to the high traffic volumes on the surrounding road network, the impact of the noise as a result of the increase in traffic was considered to be insignificant upon the ambient noise environment. - The Department has considered both the construction and operation of the potential noise impacts of both the construction and operation of the members facilities. - Given the scale of works associated with the construction and fitout of the members facilities, the Department considers construction noise impacts should be incorporated into the approved CNVMP and recommends the incorporation of the members facilities into this plan. - The Department notes that functions are proposed within long hours, commencing at 5:30am, may occur seven days a week and would likely include amplified noise sources in addition to patron noise. As such, the Department has recommended non-event operational noise limits apply to all noise sources generated by the members facilities. <i>Conditions include:</i> - adoption of the Construction Noise and Vibration Management Plan, including strategies developed in consultation with the community to manage high noise generating works for the construction of the members facilities. - provision of non-event operational noise limits for the members facilities.
Traffic	<i>Assessment</i> - The Transport Impact Assessment (TIA) considered the traffic generation and parking requirements of the proposed facilities. - Construction traffic is anticipated to align with the provided for the main stadium, with the transport of additional equipment (a mobile crane and concrete pumps) being required. - During events held at the stadium or SCG, patrons utilising the members facilities would also be attending the main stadium or SCG. As such, no additional demand is anticipated on the road network nor parking provisions necessary beyond those required by the precinct. - Modelling results indicated that the proposed modification would not impact upon the operation of the road network, even when considering the worst-case scenario of all function patrons and people utilising the fitness facilities arriving during the same hour during the PM peak.

	<i>Conditions</i> • No additional conditions have been included as works would be undertaken in accordance with the requirements of the Concept Proposal (SSD-9249) and conditions of consent for the overall project (SSD-9835). • Construction traffic, operational traffic and event traffic management plans would be updated to reflect the members facilities.
<i>Heritage</i>	<i>Assessment</i> • Whilst the members facilities would not be visible from heritage items to the north and east (Victoria Barracks and Paddington HCA), the facilities would be visible from the SCG Members Stand and Ladies Stand as well as the SCG HCA and the Driver Avenue Streetscape. Notwithstanding, the members facilities would be of similar form and character to the overall stadium and as such, the visual impacts are considered to be neutral in the context of the overall development. • In relation to the comments on the built form of the members facilities, the Department considers the proposed built form to be consistent with the character and finishes proposed for the stadium, integrating the building into the precinct. • The reconstructed Driver Avenue wall as proposed would continue to highlight the character of the Driver Avenue streetscape. • The Department considers the impacts upon views from the heritage items to be minimal in the context of the overall stadium and would be consistent with the project, as approved. <i>Conditions</i> • No additional conditions have been included as works would be undertaken in accordance with the requirements of the Concept Proposal (SSD-9249) and conditions of consent for the overall project (SSD-9835). • The recommendations of the approved Heritage Impact Statement should be adopted for the construction and operation of the members facilities.
<i>Construction and operational impacts</i>	<i>Assessment</i> • The Department's assessment considered the potential impacts from both the construction and operation of the proposed members facilities. • The Department concluded applicable construction and operational management plans should be updated to reflect the increase in construction and extended operational hours and activities at the site. <i>Conditions</i> • No additional conditions have been included as works would be undertaken in accordance with the requirements of the Concept Proposal (SSD-9249) and conditions of consent for the overall project (SSD-9835). • Construction and operational management plans would be updated to reflect the members facilities.
<i>Loss of public land and encroachment on heritage parklands</i>	<i>Assessment</i> • The proposed modification would be located within the boundaries of the SCSGT land and within the approved project boundary for the development. • The facilities would not be located on publicly accessible land or open space. <i>Conditions</i> • No additional conditions have been included as works would be undertaken in accordance with the requirements of the Concept Proposal (SSD-9249) and management plans, including heritage management plans, would be updated to reflect the increased footprint.
<i>Utilisation of government resources</i>	<i>Assessment</i> • The inclusion of members facilities as part of the development would reinstate facilities that formed part of the previous site. • The facilities would be complementary to the stadium and would provide heavily utilised community facilities that are not replicated nearby. • The project expenditure is not considered as part of the planning assessment process. <i>Conditions</i> No conditions are required.